

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JAN 23 2020

JULIA C. DUDLEY, CLERK
BY: *M. Hupp*
DEPUTY CLERK

LUKE HARLEY MCBRAYER,)
Plaintiff,)
v.)
NRVRJ, et al.,)
Defendants.)

Civil Action No. 7:19cv00616

MEMORANDUM OPINION

By: Hon. Jackson L. Kiser
Senior United States District Judge

Plaintiff Luke Harley McBrayer, proceeding pro se, filed a complaint pursuant to 42 U.S.C. § 1983. By order entered September 12, 2019, the court conditionally filed this action and advised McBrayer that he must notify the court in writing immediately upon his transfer or release, and must provide the court with a new address. [See ECF No. 3.] The court warned McBrayer that failure to notify the court of a change of address would result in dismissal of the case. [Id.] On December 24, 2019, a court notice was returned to the court as undeliverable and with no forwarding address. [See ECF No. 14.] McBrayer has not provided the court with an updated address and, therefore, the court has no means of contacting him. Accordingly, I will dismiss McBrayer's complaint without prejudice. McBrayer is advised that he may refile his claims in a separate action, subject to the applicable statute of limitations.

The clerk shall send a copy of this Memorandum Opinion and accompanying Order to McBrayer's last known address.

ENTERED this 23rd day of January, 2020.

Jackson L. Kiser
SENIOR UNITED STATES DISTRICT JUDGE